



1 1138 NORTH ALMA SCHOOL ROAD, SUITE 101
2 MESA, ARIZONA 85201
3 Telephone: 480.461.5300 | Fax: 480.833.9392

4 David R. Schwartz (SBN 9264)
das@udallshumway.com
5 *Attorneys for Plaintiff*

6 **UNITED STATES DISTRICT COURT**

7 **DISTRICT OF ARIZONA**

8 Elizabeth Burdette Howe,

9 Plaintiff,

10 v.

11 Aspen University, Inc.,

12 Defendant.

Case No.: 2:22-cv-00939-DGC

**NOTICE OF PLAINTIFF'S
RESPONSE LETTER RE:
ANTICIPATED MOTION FOR
SUMMARY JUDGMENT**

13 Plaintiff, Elizabeth Burdette Howe hereby gives notice of its response letter
14 regarding Defendant Aspen University Inc.'s anticipated motion for summary judgment
15 (DOC 46). Defendant Aspen's email was only sent Friday, September 15, and
16 Plaintiff's counsel notified defense counsel that he needed to consult with Plaintiff
17 before responding. (Ex. 1, Email). After consulting with Plaintiff and based upon her
18 instructions, Plaintiff's response was sent this morning. (Ex. 2, Email with letter).

21 **DATED:** September 18, 2023.

23 **UDALL SHUMWAY PLC**

24 By: /s/ David R. Schwartz

25 David R. Schwartz

26 1138 North Alma School Road, Suite 101
Mesa, Arizona 85201

27 *Attorneys for Plaintiff*

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on September 18, 2023, I electronically transmitted the
3 attached document to the Clerk's Office using ECF/CM for filing and that all parties'
4 counsel will be served via the Court's ECF/CM system.

5 /s/ Alyssa Quijano

6 11582259/
7 120066.1

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 1

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

EXHIBIT 2